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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, AUGUST 16, 2002

APPLICATION OF

WASHINGTON GAS LIGHT COMPANY

and

CASE NO. PUE-2002-00319

THE SHENANDOAH GAS DIVISION
OF WASHINGTON GAS LIGHT COMPANY

For approval of amendments
to Rate Schedule No. 9, Firm
Delivery Service Gas Supplier
Agreement

ORDER EXTENDING TIME FOR CONSIDERATION
AND PROVIDING FOR RESPONSE

On June 6, 2002, Washington Gas Light Company ("WGL" or "Washington Gas") and the Shenandoah Gas Division ("Shenandoah") of WGL (hereafter collectively referred to as the "Companies") filed an application with the State Corporation Commission ("Commission") requesting the Commission to approve proposed amendments to Rate Schedule No. 9, "Firm Delivery Service Gas Supplier Agreement" of the Companies' respective tariffs filed with the Commission. In their application, the Companies propose to require competitive service providers ("CSPs") to accept assignment of certain transportation resources when CSPs

sell natural gas supplies to the Companies' customers through their retail access programs ("mandatory capacity assignment").

On June 28, 2002, the Commission entered its procedural order in this matter, wherein it determined that its decision in the instant application must be made after opportunity for hearing within the decisional timeframe found in § 56-235.8 of the Code of Virginia. Section 56-235.8 B of the Code of Virginia provides that a retail choice plan is deemed approved if the Commission fails to act within 120 days after the acceptance of a filing of a retail supply choice plan or extended period, which may not exceed an additional 60 days, ordered by the Commission.

Ordering Paragraph (5) of the June 28, 2002, Order provided that interested parties wishing to file written comments or a request for hearing on the Companies' application must file the same by August 12, 2002, with the Clerk of the Commission. Ordering Paragraph (6) of that same Order directed that any request for hearing must state why the issues raised in the request for hearing could not be adequately addressed in written comments. Ordering Paragraph (7) required persons filing a request for hearing and who expected to participate as a respondent in the proceeding to file a notice of participation as required by Rule 5 VAC 5-20-80 B of the Commission's Rules of Practice and Procedure. The Order also directed the Commission

Staff to investigate the Company's application and to file on or before August 23, 2002, a report or testimony, as appropriate, on the application. Ordering Paragraph (11) required the Companies to respond to written interrogatories within five (5) calendar days after the receipt of the same.

On August 9, 2002, Columbia Gas Transmission Corporation ("TCO") filed a Notice of Participation in the case, but did not expressly request a hearing on this matter.

On August 13, 2002, Pepco Energy Services, Inc., ("Pepco" or "PES") filed its comments with the Clerk of the Commission out of time.¹ PES also urged, if the Commission wished to explore further the issues raised by the Companies, that the Commission institute proceedings in which all parties will have the right to conduct discovery, present evidence, cross-examine witnesses, and submit briefs. PES' comments did not assert why its concerns could not be adequately addressed by its written comments, and were not accompanied by a Notice of Participation.

NOW, upon consideration of the foregoing, we are of the opinion and find that the time for considering the Companies' application should be extended for the maximum period permitted

¹ Under Rule 5 VAC 5-20-140, formal pleadings or other related documents are considered filed with the Commission upon the receipt of the original and required copies by the Clerk of the Commission no later than the time established for the closing of business of the Clerk's office on the day the item is due. In this case, Pepco's comments were stamped in by the Clerk on August 13, 2002, at 11:42 a.m.

under § 56-235.8 of the Code of Virginia, i.e., December 3, 2002, to consider the issues raised by the Companies' application; that no party will be prejudiced by accepting PES' comments one day out of time and, therefore, its comments should be accepted out of time; and that the Companies should be permitted to file pleadings or other documents responsive to the Staff Report as well as to the comments filed by PES and the Notice of Participation filed by TCO.

Accordingly, IT IS ORDERED THAT:

(1) The time for consideration of the Companies' application shall be extended pursuant to § 56-235.8 of the Code of Virginia to December 3, 2002.

(2) PES' comments shall be received out of time.

(3) WGL shall file with the Clerk of the Commission its pleadings or other documents responsive to the Staff Report, PES' comments, and the Notice of Participation filed by TCO, on or before September 6, 2002.

(4) This matter shall be continued, pending further orders of the Commission.